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REPORT OF THE UNITED NATIONS COMMISSION ON INTERNATIONAL TRADE LAW ON THE WORK OF ITS TWENTY-NINTH SESSION

Implementation of paragraph 9 of General Assembly resolution 50/47 on granting travel assistance to delegates of developing countries

Report of the Secretary-General

I. INTRODUCTION

1. The United Nations Commission on International Trade Law (UNCITRAL), when discussing at its twenty-third session the United Nations Decade of International Law, noted that the activities, suggested by the General Assembly in its resolution 44/23 of 17 November 1989, relating to the teaching, study, dissemination, wider appreciation and promotion of international trade law would have their impact in all regions, but that they would be of greatest significance in developing countries. In the same spirit, it was suggested that an attempt should be made to finance the travel of experts from developing countries, and especially from States members of the Commission, to the sessions of the Commission and its working groups so that those States would be in a better position to contribute actively to the creation of international trade law.

2. Pursuant to a request expressed by the General Assembly in paragraph 5 of its resolution 45/42 of 28 November 1990, the Secretary-General submitted to the Assembly at its forty-sixth session a report (A/46/349), analysing possible ways by which assistance could be given to developing countries that were members of the Commission, in particular the least developed countries, so that they might

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attend meetings of the Commission and its working groups, bearing in mind the arrangements that existed for United Nations bodies generally pursuant to section IX of resolution 43/217 of 21 December 1988.

3. The General Assembly at its forty-sixth session adopted resolution 46/56 B of 9 December 1991, in which it requested "the Fifth Committee, in order to ensure full participation by all Member States, to consider granting travel assistance, within existing resources, to the least developed countries that are members of the Commission, as well as, on an exceptional basis, to other developing countries that are members of the Commission at their request, in consultation with the Secretary-General, to enable them to participate in the sessions of the Commission and its working groups".

4. At its forty-seventh session, the General Assembly adopted resolution 47/34 of 25 November 1992. In paragraph 12 of that resolution, the Assembly requested "the Fifth Committee, in order to ensure full participation by all Member States, to continue to consider granting travel assistance, within existing resources, to the least developed countries that are members of the Commission, as well as, on an exceptional basis, to other developing countries that are members of the Commission at their request, in consultation with the Secretary-General, to enable them to participate in the sessions of the Commission and its working groups".

5. At its forty-eighth session, the General Assembly adopted resolution 48/32 of 9 December 1993, paragraphs 5 and 6 of which read as follows:

> ["The General Assembly]
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> "5. Requests the Secretary-General, in order to ensure full participation by all Member States in the sessions of the Commission and its working groups, to establish a separate trust fund for the Commission to grant travel assistance to developing countries that are members of the Commission, at their request and in consultation with the Secretary-General;"
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> "6. Decides, in order to ensure full participation by all Member States in the sessions of the Commission and its working groups, to continue its consideration in the competent Main Committee [...] on granting travel assistance, within existing resources, to the least developed countries that are members of the Commission, at their request and in consultation with the Secretary-General;"

6. At its forty-ninth session, the General Assembly adopted resolution 49/55 of 9 December 1994, paragraphs 6 to 8 of which read as follows:

> ["The General Assembly]
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> "6. Welcomes the completion of the setting up of the trust fund for the United Nations Commission on International Trade Law to grant travel assistance to developing countries that are members of the Commission, at their request and in consultation with the Secretary-General, pursuant to paragraph 5 of resolution 48/32 of 9 December 1993;

"7. Appeals to Governments, the relevant United Nations organs, organizations, institutions and individuals, in order to ensure full participation by all Member States in the sessions of the Commission and its working groups, to make voluntary contributions to the trust fund referred to in paragraph 6 above;

"8. Decides, in order to ensure full participation by all Member States in the sessions of the Commission and its working groups, to continue its consideration in the competent Main Committee during the forty-ninth session of the General Assembly of granting travel assistance, within existing resources, to the least developed countries that are members of the Commission, at their request and in consultation with the Secretary-General;"

7. By the same resolution, the General Assembly also requested the Secretary-General to submit a report on the implementation of paragraph 8 of the resolution at its fiftieth session. Pursuant to that request, the Secretary-General submitted to the Assembly, at its fiftieth session, a report (A/50/434) in which he informed the Assembly that, as of 1 September 1995, no contributions had been made by Member States to the Trust Fund. As regards the consideration, in the competent Main Committee, of the question concerning granting travel assistance, within existing resources, to the least developed countries that are members of the Commission, paragraph 10 of the report provided that "the General Assembly may wish to take note of the present report and thereby complete its consideration of the matter".

8. At its fiftieth session, the General Assembly adopted resolution 50/47 of 11 December 1995, paragraphs 8 and 9 of which read as follows:

["The General Assembly]

"8. Appeals to Governments, the relevant United Nations organs, organizations, institutions and individuals, in order to ensure full participation by all Member States in the sessions of the Commission and its working groups, to make voluntary contributions to the Trust Fund [...];

"9. Decides, in order to ensure full participation by all Member States in the sessions of the Commission and its working groups, to continue its consideration in the competent Main Committee during the fiftieth session of the General Assembly on granting travel assistance, within existing resources, to the least developed countries that are members of the Commission, at their request and in consultation with the Secretary-General;"

9. By the same resolution, the General Assembly requested the Secretary-General to submit a report on the implementation of paragraph 9 of the resolution at its fifty-first session. The present report is submitted pursuant to that request.

II. THE TRUST FUND

10. The Secretary-General is responsible for the use of the Trust Fund for granting travel assistance to developing countries that are members of the United Nations Commission on International Trade Law, and the fund will be administered, in accordance with its terms of reference, by the Legal Counsel, as the programme manager of the Trust Fund.

11. The General Assembly may wish to note that, as of 1 September 1966, a total amount of $3,000 in contributions to the Trust Fund had been received from the Governments of Cambodia and Kenya.

III. CONTINUED CONSIDERATION IN THE COMPETENT MAIN COMMITTEE

12. The Secretary-General notes that the General Assembly has not concluded its consideration, in the competent Main Committee, of the question on granting travel assistance to the least developed countries that are members of the Commission, and that such question is being considered within the framework of the overall review by the Assembly of the travel arrangements for the United Nations. The Assembly may thus wish to take note of the present report and, upon conclusion of its consideration of this matter, it may wish to request the Secretary-General to report, as appropriate, on measures required to implement the decisions that the Assembly may wish to take.